

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 1699 - SB 1850**

March 11, 2011

**SUMMARY OF BILL:** Eliminates infrequent casual sales of non-potentially hazardous foods at farmers' markets from the definition of "selling" under the Tennessee Food, Drug, and Cosmetic Act. Defines "potentially hazardous food" and expands the definition of "non-potentially hazardous food" for the purposes of farmers' markets. Eliminates the licensing requirement for home-based kitchens. Requires home-based kitchens to prohibit pets, have hot and cold running water, prohibit hand washing in the kitchen sink, maintain refrigerator thermometers, and have a functioning sewer or septic system to carry away waste.

**ESTIMATED FISCAL IMPACT:**

**Decrease State Revenue – \$5,600**

**Assumptions:**

- According to the Department of Agriculture, pursuant to Department Rule 0080-4-11-.04(1), home-based kitchen license fees are set in accordance with Tenn. Code Ann. § 53-1-208(b)(2).
- The Department currently licenses 150 home-based kitchens per year at a fee of \$50 per license. An estimated 75 percent of those license holders sell their products at farmers' markets.
- The estimated decrease in state revenue is \$5,625 (150 x \$50 x 75%).

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

James W. White, Executive Director

/sbh

**HB 1699 - SB 1850**